

**ORIGINAL**

DOCKET NO. S-20651A-09-0029



0000101664

MOTION TO: Dismiss Hearing/ Jury Trial for my Case

**RECEIVED**

Docket Control Arizona Corporation Commission  
1200 West Washington Phoenix, AZ 85007

2009 AUG 12 P 4: 15

AZ CORP COMMISSION  
DOCKET CONTROL

Whereas, an oral agreement is binding, especially when made by a judge and recorded in a legal proceeding and whereas Administrative Law Judge, Mr. Marc E. Stern made a promise (an oral agreement) that I could request and receive mediation and whereas I did formally request mediation, therefore this case must be dismissed immediately without prejudice or delay.

Additionally, since mediation has yet to be granted as promised and legally and morally required, this case must be dismissed immediately without prejudice or delay.

Whereas, I had a reasonable expectation to get the mediation I was promised by the Judge, whereas it was a legally binding agreement, this case must be dismissed immediately without prejudice or delay.

Whereas, my motions are not being answered, and I therefore have not had proper time to prepare for dates that should have been made unnecessary if mediation had already been granted as promised, this case must be dismissed immediately without prejudice or delay.

Whereas, the AZ Corporation Commission Securities Division has from the beginning and continually lied to me and the judge, this case must be dismissed immediately without prejudice or delay.

Whereas, the AZ Corporation Commission Securities Division has from the beginning and continually abused their power with complete disregard for democracy and the intent of the legislature that created the securities laws, this case must be dismissed immediately without prejudice or delay.

Whereas, the AZ Corporation Commission Securities Division has conducted unfair business practice by abusing their authority of a state agency, this case must be dismissed immediately without prejudice or delay.

Whereas, the AZ Corporation Commission Securities Division has from the beginning and continually practiced harassment, intentional misrepresentation, and breach of fiduciary duties in the pursuit of a malicious prosecution, thereby, this case must be dismissed immediately without prejudice or delay, if fairness and justice are of any import to this court.

Sincerely, Kyle Schmierer 8-12-2009

8-12-09

Arizona Corporation Commission

Kyle Schmierer 220 West Behrend Dr., Phoenix, AZ 85027 (602)218-5057

**DOCKETED**

DOCKETED BY